



Ohio Revised Code

Section 6137.05 Repair or maintenance projects.

Effective: March 24, 2021

Legislation: House Bill 340 - 133rd General Assembly

(A) The maintenance fund established under section 6137.02 of the Revised Code shall be subject to use of the board of county commissioners or joint board of county commissioners for the necessary and proper repair or maintenance of any drainage improvement constructed under Chapters 940., 6131., 6133., and 6135. of the Revised Code.

(B) Whenever the board, or the joint board, from its own observation or the recommendation of the county engineer or the lead county's county engineer, or on the written complaint of any owner of land subject to the maintenance assessment, has identified a need for the repair or maintenance of a drainage improvement, the county engineer shall inspect the condition of the drainage improvement.

(C) If the county engineer finds that the drainage improvement is in need of repair or maintenance, the county engineer shall do all of the following:

(1) Make an estimate of the cost of the necessary work;

(2) Determine the most efficient and economical manner to complete the work, including conducting the work in various phases if determined necessary. The county engineer shall take into account local conditions that may pertain to a maintenance program such as excavation, snagging, clearing, cleaning, physical and chemical control of vegetation, and reparation of banks and structures. The county engineer may determine whether the work shall be performed by force account, contract, or a combination of the two. However, if a contract is used for the work, the county engineer shall comply with sections 307.86 to 307.92 of the Revised Code.

(3) Determine a schedule for completion of the work subject to the availability of funds in the appropriate maintenance fund;

(4) Certify the actual cost of completion of the work to the county auditor or lead county's county auditor for payment from the appropriate maintenance fund.



(D) The board or joint board and the county engineer may contract with a soil and water conservation district for the repair, upkeep, and permanent maintenance of any drainage improvement for which the county engineer is responsible, whether as the county engineer or as the lead county engineer.